SUBJECT

Treaty of Amity and Commerce between China and Turkey.

DATE

10/1029.-

CASE NUMBER

767.932

JACKET No. 1

Please do not disarrange or remove papers from this jacket or deface jacket with office stamp or notations.

1—1235 U. S. GOVERNMENT PRINTING OFFICE: 1930

DOCUMENT FILE

NOTE

SEE 893.00 P.R.Nanking/26 FOR #90

FROM Nanking (Adams) DATED June 12, 1930

TO

NAME

1—1127 GPO

INDEX BUREAU

767.932/2

REGARDING:

Sino-Turkish Treaty of Amity, Commerce and Navigation.

Negotiations began at Nanking, May 7, 1930, between Turkish Charge d'Affaires, for the conclusion of--. (despatch #180 to Legation, June 11 - copy attached).

767.9

Negotiations began at Nanking on May 7, 1930, between Dr. Li Chin-luen and Mr. Fuad, Turkish Chargé d'Affaires, for the conclusion of a Sino-Turkish Treaty of Amity, Commerce and Navigation.

IN

LEGATION OF THE
UNITED STATES OF AMERICA

Peiping, July 25, 1930.

No. 344

INDEX BUREAU DEPT OF STATE

Division of FAR EASTERN AFFAIRS AUG 29 1930 Department of State

AUG 27 1930 DIVISION OF EASTERN EUROPEAN AFFAIRS SEP 3 1930 DEPARTMENT OF STATE

FOR DISTRIBUTION — To U. S. A.

DEPARTMENT OF STATE AUG 28 1930 DIVISION OF NEAR EASTERN AFFAIRS

INDEX BUREAU 767.932/3

The Honorable

The Secretary of State,

Washington.

767.932

Sir:

1/ I have the honor to transmit herewith a copy of a memorandum of a conversation, at Nanking, on June 24, 1930, between Minister Johnson and Hulusi Fuat Bey, Chargé d'Affairs of Turkey, in which the latter speaks of the proposed Sino-Turkish Treaty, the possible removal of the Turkish Legation from Shanghai to Nanking, the relations between Turkey and Soviet Russia, and the political situation in China.

SEP 8 - 1930

I have the honor to be, Sir,

Your obedient servant,

For the Minister:

Mahlon F. Perkins

Mahlon F. Perkins,
Counselor of Legation.

Enclosure:
1/ As noted herein.

Copy to: American Consulate, Nanking.
JOD:eg.

Enclosure No. 1
Desp. No. 348

Conversation. Nanking, June 24, 1930

M. H. Feat Tugay, Turkish Counsellor

Subject: New Turkish Treaty and Foreign Relations

M. Feat told me today that his treaty with China consisted of 23 articles and was about ready for initialling. He said that the treaty was much simpler than the one which was drawn up at Washington, that Muktar Bey had never been out in the Orient and knew very little about conditions here.

He told me he had looked at a house in Nanking (I have been told that he looked at the Foreign Office Hostel) but was uncertain as to whether this was the time to come to Nanking.

Going on to other matters he stated that Turkey's foreign policy was guided by her great neighbor to the north, Russia, but that they had little interest in China. He said that relations between Turkey and Russia were excellent now but that no one could tell about the future. He himself feels that the future will not be so pleasant. Russia will grow strong and ambitious.

It is his opinion that the situation in China is better for the moment. He pointed out that in primitive countries there is always a conflict between the military and civilian policies and drew a comparison between China and Japan.

NTJ/hp

Nelson Trusler Johnson
American Minister

DOCUMENT FILE

NOTE

INDEX BUREAU
767.932/4

SEE 761.00/194 FOR #7432

FROM Latvia (Coleman) DATED Jan.15,1931

TO NAME

1—1127 GPO

REGARDING: Sino-Turkish commercial treaty.
International Chronicle of the Moscow IZVESTIA of Jan.11 states a Harbin newspaper recorded the arrival at Nanking of a Turkish representative. This representative states the project of a -- is now under consideration by Turkey.

4

leb

COPY

LEGATION OF THE UNITED STATES OF AMERICA
RIGA, LATVIA.

January 15, 1931.

No. 1432

The Honorable

The Secretary of State,

Washington.

Sir:

I have the honor to place at the disposal of the Department a translation of the annual review of "the international situation", by the President of the Soviet of People's Commissars of the U.S.S.R. to the Central Executive Committee of the U.S.S.R., of which he is a member. A report on the session of the Central Executive Committee is in preparation.

This

This review corresponds to the references to foreign relations in a Presidential message or in a Speech from the Throne at the opening of Parliament. The speaker corresponds to Prime Minister. The office of President of the Central Executive Committee is divided between five persons, and is of little importance.

The present President of the Soviet of People's Commissars, V. M. Molotov*, is also:

President of the Soviet of Labor and Defense;

President of the Commission of Review at the Soviet of People's Commissars of the U.S.S.R.**;

Member of the Central Executive Committee of the R.S.F.S.R.;

Member of the Political Bureau of the Central Committee of the All-Union Communist Party (of Bolsheviks) and Member of the Central Committee;

Member of the Presidium and of the Political Secretariat of the Executive Committee of the Communist International.

Molotov was also a member of the Commission for Drafting the Program of the Communist International.

In December, 1930, Molotov was relieved of the duties of Secretary of the Party Central Committee and Member of the Organization Bureau of the Party Central Committee.

Molotov

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* "(Skrabin)" - a late addition.

** A new organ of control.

Molotov has been regarded as a trusted lieutenant of Stalin.

The review, as far as it goes, could have been prepared without amendment, aside from a few verbal changes, for the Communist International or the Party. The substance can be briefly summarized.

The domestic program requires the maintenance of peace.

The prevailing economic crisis has sharpened the conflicts of interest between the capitalistic states, and has lessened the stability of the latter and of the general peace.

The lowest level of the depression will be reached this year.

There are now 30 million unemployed. Official unemployment data are minimized in the United States, Great Britain, and Germany.

The Young plan, "which imposes immensely burdensome payments upon Germany", and all the post-war treaties between the capitalistic states of Europe, are passing through a critical period. The fall of prices has already increased the burdens of Germany, expressed in goods, by about fifteen per cent since the Young plan was adopted.

The Round Table Conference is not advancing the solution of the problem of India, which is of "great importance for world social-political development".

The international economic conference and preparatory commission on disarmament accomplished nothing.

Soviet

Soviet external commercial relations have been hampered by hostile measures taken by the group of states belonging to the French group. The passage on Finland, last paragraph of page 8 and page 9, may be read in its entirety.

"In general and on the whole", relations with Germany, Turkey, Italy, England, Japan, Persia, Afghanistan, Austria, Greece, and the Scandinavian and Baltic countries have developed in the normal way. The Sino-Soviet Conference is expected to give full effect to the provisions of the Khabarovsk agreement.

Following the "crusade" and the Kutepov affair, pretended Soviet dumping is now the cardinal complaint. The compulsory labor charge is countered with a tu quoque, treated ironically and rhetorically, but not met.

France is singled out for arraignment for restrictions of Soviet commerce and for other measures taken, it is alleged, with a view to intervention and armed attack.

In sum, the embarrassments of other countries are enumerated as objective dangers to the general peace, but in language that leaves no doubt that they are highly welcome to the Moscow rulers. Particular attention seems to be given to the possibility of keeping Germany and France from coming to rest and of forming an eastern bloc including Italy, Turkey, Afghanistan, and Persia, possibly Greece.

No direct allusion is made to any other Balkan state or to Poland, Hungary, Czechoslovakia, Holland,

Spain

Spain and Portugal, among others. The United States appears only in the chapter on unemployment, and China only in the brief reference to the Sino-Soviet Conference. Japan is among those given a pass mark. The closing of the Vladivostok branch of the Chosen Bank thus seems to sink from view, as a move in the annual adjustment of fisheries arrangements.

In reference to the question of an eastern bloc, I note in the "international chronicle" of the Moscow IZVESTIA No. 11, of January 11, that a Harbin newspaper has recorded the "arrival at Nanking of a Turkish representative who took part in a conference at the Ministry for Foreign Affairs" and that, "according to the words of the Turkish representative, the project of a Sino-Turkish commercial treaty is now under consideration by the Turkish Government".

Respectfully yours,

F. W. B. COLEMAN.

Enclosure:

1. The International Situation.
(Moscow IZVESTIA, No.7, of January 7, 1931).

In quintuplicate.
Copy to E.I.C.Paris.
Copy to E.I.C.Paris for Peiping.
Copy to American Consul, Harbin, via Department.
DSM/hs

A true copy of the signed original. JK

Enclosure No. / to despatch No.

SOURCE: Moscow IZVESTIA,
No.7,
of January 7, 1931.

THE INTERNATIONAL SITUATION.

Report of the President of the Soviet of People's Commissars of the U.S.S.R., Comrade V. M. Molotov (Skriabin), at the third session of the fifth Central Executive Committee of the U.S.S.R. on January 4, 1931.

(Translation of the conclusion).

1. The world crisis and growing instability in the capitalistic countries.

The accomplishment of the tasks of the up-building of socialism cannot be isolated from the international environment in which we shall live in the present year. The fundamental condition of such accomplishment is the maintenance of peace, the assurance of peaceful conditions for the development of the U.S.S.R.

The labor class of our country is at the present time absorbed in the tasks of building up socialism, the organization of forces for the completion of the laying of the foundation of socialistic economy. The main desire of the toilers of the U.S.S.R. is to devote themselves still more to the cause of economic up-building, the cause of the creation on a socialistic basis of better material and cultural conditions of our life. Unshakably confident in its victory, the labor class of the Soviet Union above all requires that an attack of external forces, the forces of imperialism, shall not interrupt the march of the gigantically

developing

developing up-building of socialism.

But we know that the U.S.S.R. exists in a capitalistic encirclement and must reckon with the fact that the accomplishment of its grand tasks is proceeding in conditions of growing instability in international relations. This inevitably results from the conditions of the present period of the evolution of capitalism. The world economic crisis has merely sharpened the conflicts of interest in the capitalistic system and led to the increase of instability both within the capitalistic countries and in the relations between them.

The most profound economic crisis has been determining the development of these countries for more than a year. The fact that, after the lapse of more than a year since the beginning of the crisis in the North American United States, not only has the further deepening of the world crisis not been stopped, but that it is being accompanied in various countries by an increase of the elements of political crisis, is an index of the growth of instability in the international situation. If a year ago not a few bourgeois economists and politicians were denying the existence of an incipient economic crisis, the fact of a world crisis, embracing, though not* in equal measure, all the capitalistic countries and above all such countries as the North American United States, England and Germany, is now disputed by nobody. The prominent English economist

Keynes,

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* "not" is supplied as necessary to the sense. Translator's note.

Keynes, in the December issue of the German periodical WIRTSCHAFTSDIENST writes:

> It has taken a long time for us to realize that we are at the present time living in the shadow of one of the greatest economic catastrophes known to modern history.

Thus, upon the admission of Keynes, the capitalistic countries are in the belt of the "greatest economic catastrophe", and this is not the voice of Keynes alone. We might adduce many examples of how representatives of the bourgeoisie, who only a few months ago still denied the existence of a world crisis or of a crisis in their own countries, now stand utterly at a loss before "one of the greatest economic catastrophes known to modern history."

By way of conclusion, moreover, even now can be heard voices, trying for example on the occasion of January 1 to bolster up the courage of themselves and others, affirming that a turn has at last been reached — a turn away from deepening of the crisis to economic uplift. These statements, however, are dictated obviously by motives of political character and at this time cannot be convincing to anybody. Furthermore, we have reason to affirm that the lowest level has not yet been reached by the world crisis, that the crisis is still continuing to become more acute, that the countries, for example France, which have been so far only slightly affected by the world crisis, are slipping farther and farther on to the road of crisis along with the other states. No need to be a prophet to say that the lowest point of the economic crisis will be reached only in 1931.

With

With unemployment proceeding in its ineluctable increase during all of last year and with the position of the unemployed growing more critical, no articles and speeches are going to convince the laborers of the capitalistic countries that the crisis has begun to pass away already. The world economic conjuncture is constantly becoming more depressed and the miseries of unemployment, are steadily growing and are assuming unheard of dimensions. There were already about 50 million unemployed in the capitalistic countries at the beginning of the present year. These figures speak for themselves. There's no getting away from them.

In vain does the North American United States fail to publish statistics of unemployment. Perhaps that is useful from the point of view of the ruling groups, but even without official statistics it is plain what an incredible burden unemployment has already become for the labor masses of the North American United States. Nobody any longer denies that in the mighty American republic there are not merely one million or five millions of unemployed, but far more. According to certain calculations, there are already about 10 million unemployed in the North American United States. Even according to official, and obviously minimized data, the number of the unemployed in Germany climbed last year from 3,030,000 to 4 millions, increasing by a million. In Great Britain during a year, from October 1929 to October 1930, the number of the unemployed was increased according to official data from

1,270,000

1,270,000 to 2, 308,000. Consequently, according to these, plainly minimized data, there was an increase of more than a million in the course of a year. This is leading to an extreme deterioration of the position of the labor masses. In turn, this is sharpening internal conflicts of interest and is inevitably provoking ever new class conflicts. Examples of such conflicts can be found on the Ruhr, in South Wales, etc.

2. Sharpening of the conflicts of interest between the capitalistic countries.

The world economic crisis is inevitably leading also to the sharpening of the conflicts of interest between states. And that is reflected in the growth of instability in the international situation.

And could it be otherwise?

It is known that the stability of international relations in Europe is connected above all with the carrying out of the Young plan, which imposes immensely burdensome payments upon conquered Germany. But the Young plan, like all the post-war treaties between the capitalistic states of Europe, is now passing through a critical period. For this there are cogent reasons.

The influence of the world economic crisis is ever more increasing the burden of the reparations payments of Germany, which are determined for it by the Young plan. Thus economists, for example Comrade Varga, reckon that, by reason of the fall of prices caused by the crisis, the burdens of Germany, expressed in goods, have been increased already by 15 per cent,

in

in comparison with the period when the Young plan was adopted. Such a fact cannot but add to the instability in the relations between the European countries.

Let us take another example, the India question. In present conditions the problem of India has great importance for the world social-economic development. But how successfully is that problem being solved? ...* In any case hopping about the "round table" which is going on now is not advancing the solution of the India problem. And this also cannot but lead to growth of instability in international relations.

Or take an example from the international economic conference which sat at Geneva in November last year. One cannot but take an interest in the results of the work of such conferences. The work of this conference, however, had no results. Upon any at all important matters the participants in this conference, the delegates, of many countries, were not able to agree upon anything. No concordance of action for the regulation of international economic life was obtained at this conference. All that could be agreed upon was a resolution in which it was set forth that nothing could be agreed upon ...** One more fact may be noted to characterize the work of this conference. The president of this conference, ex-Minister of Finance

of

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* ... in the text. Whether something has been omitted from the newspaper report may be left undecided. The following clause would so indicate. Translator's note.

** ... in the text. Translator's note.

of Holland Colijny, immediately after the conference sent his resignation to the Secretary of the League of Nations, directly referring therein to the failure of the conference.

With such results of work for the regulation of international economic relations, one cannot get rid of the growth of instability in international economic and political relations. And the growth of this instability teems with great dangers for the cause of peace. Such facts merely reflect the sharpening going on now of the struggle over the question of the revision of the post-war treaties. If one adds to this that, regardless of the world crisis, the war industry of such countries as France and Italy is being steadily expanded and is issuing ever larger quantities of munitions of war, the incalculable dangers for the cause of peace and the existing peaceful relations between the states, the seeds of which are imbedded in the present international situation, become plainer.

3. The relations of the U.S.S.R. with other countries, and the struggle for peace.

Passing on to the question of our relations with other states, I shall dwell first of all on foreign trade.

It may be stated that in the past year our foreign trade, both export and import, continued to expand, and for 1931 we foresee the further growth of our commerce with other states. Here also our situation is quite unlike that of the majority of the other states.

Whereas

Whereas foreign trade even in the very largest capitalistic states fell off considerably last year, the U.S.S.R. here too proceeded in the other direction. Obviously it was of importance in this matter that the capitalists who were trading with the U.S.S.R. did not find with us such things as the bankruptcy of those they were dealing with. Meantime in other countries the number of bankruptcies grew to enormous dimensions last year, and the conditions of the development of foreign trade as a whole deteriorated considerably, as a general rule.

While noting the growth of our foreign trade as a whole, it must be pointed out that the development of our trade with some countries could not proceed normally last year. In the cases where special measures, measures of plainly hostile character, were taken against us at the instigation of the more aggressive groups, a development of external commercial relations, of course, could not be expected. When, instead of the creation of normal credit conditions, special hostile measures were taken in respect of Soviet exports, this could not but be reflected in a curtailment of our imports from these countries.

How, for example, can our foreign trade with Finland develop when ruffianly attacks on shops selling Soviet products recently began to be numerous? If any one supposes that repeated ruffianly excesses against Finnish citizens who trade in our products are not a hindrance to the development of normal commercial relations, this is, of course, a manifest mistake.

Above

Above all, such facts force one to conclude that in the given country there is a lack of elementary law and order, of the simple law and order normal for bourgeois countries. Otherwise, how could all this ruffianism remain unpunished?

Moreover, it is not only our commerce that has not enjoyed normal conditions in Finland recently. There other things go on which do not seem to be quite intelligible upon the first glance. For example, before becoming a candidate for the past of President, one sometimes has to play a role in sufficiently troublesome occurrences such as kidnaping by Papuans, or as they are called there, Lapuans. It is of interest that not only a candidate for President was found to be involved in these strange incidents, but - it is true altogether on the other side - the Chief of the General Staff of the Finnish Army also had a hand in this business. This fact has been made known in official statements of the Finnish authorities. How, after that, can one expect normal conditions for the development of Soviet trade with Finland, where so many bothersome things happen and where all these Lapuans and Papuans are pushing for commanding position? (Laughter). From the floor I am told that Papuans and Lapuans are one and the same. Of course, there are not Lapuans everywhere. But this does not mean that in all other countries there are normal conditions for the development of our external commerce with the other countries.

But

But along with this it must be said that our relations with the majority of the foreign states have developed in general and on the whole in the normal way. I do not now want to enumerate all the countries to which this refers. It can be said in any case that our relations developed in the normal way in general and on the whole with Germany, Turkey, Italy, England, Japan, Persia, Afghanistan, Austria, Greece, the Scandinavian and the Baltic countries. We hope likewise for a favorable conclusion of the Chinese-Soviet Conference, which ought to give full effect to the contents* of the Khabarovsk agreement.

Noting these facts, we do not overlook nevertheless the fact that there are observed in a number of countries ever new attempts to deploy anti-Soviet campaigns, and on the most artificial pretexts. In the past year, as is known, the noisiest and most venomous anti-Soviet campaigns were connected with the so-called crusade and the Kutepov affair. Recently the campaign against supposed "Soviet dumping" became especially important. Let the directors of this latter campaign, who talk so much about the decay of economic life in the U.S.S.R. fall into manifest contradiction when simultaneously they cry out about the dangers of supposed "Soviet dumping". It is readily understood that it is not by reason of a good economic conjuncture** that these gentlemen blame their woes on supposed Soviet dumping.

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* literally: cause (dyelo) - Translator's note.

** in their own countries - Translator's note.

dumping. Entangling himself in his own contradictions, and desirous of laying the burden of his own sins upon others, one can, of course, resort to the organization of anti-Soviet campaigns like the campaign about supposed Soviet dumping. But for practical people this can only witness to the helplessness of the initiators of these campaigns, and nothing else. The political meaning of this dirty campaign, however, is the same as the political meaning of the other anti-Soviet campaigns. It is the method of preparing for such anti-Soviet actions as will lead to the breaking up of peaceful relations, to undermining the cause of peace. The organization of anti-Soviet campaigns abroad is nothing else than preparation for attack with the object of bringing to naught peaceful socialistic up-building in our country. Facts, it would appear, have already sufficiently proved that whoever stands at the head of an anti-Soviet campaign is at the same time in fact very active in the preparation of intervention against the U.S.S.R., in cutting the ground from under the cause of peace.

Recently, with special zeal on the part of Messrs. the Conservatives in England, there has been developed still another anti-Soviet campaign. Messrs. the Conservatives are trying to pose as defenders of free labor against compulsory labor, allegedly existing in the U.S.S.R. Messrs. the Conservatives, known not since yesterday as ingrained slave-owners, so known especially in the colonies, are now shouting at the top of their voices about compulsory labor in the Soviet Union.

Union. It is readily understood that all this is seen to be far from convincing!

You see, they have really done away with unemployment in the Soviet Union. Now, is it not plain after that that compulsory labor prevails in the U.S.S.R.! The case is otherwise in the country of the Conservatives and their likes: there from month to month, the many-thousands of columns of unemployed are growing, there with every day are spreading the quarters of hungry proletarian families, already portionless under the capitalistic régime . But in compensation they have free labor there, whereas in the U.S.S.R. on the contrary it is "compulsory".

Why look for other proofs about compulsory labor in the U.S.S.R.? You see, in the U.S.S.R. is introduced the 7-hour work-day for all, whereas the Conservatives are the most zealous advocates of the laws that are leading right now to the further lengthening up to 10-12 hours of the already burdensome work-day. Is it not plain that the U.S.S.R., with its 7-hour work-day, is the best example of "compulsory" labor for the workmen, and the capitalistic countries.the example of the contrary, the example of the "free" labor of workmen and workwomen?"

One must consider, you see, the following also. If there were not "compulsory labor" in the U.S.S.R., how could socialistic emulation and shock-troop work, the anticipatory* industrial financial plan, and other

superior

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* Seems to mean the financial plan required to complete the so-called 5-year plan in four years. Translator's note.

superior methods of proletarian activity, go on developing day by day? On the other hand, in the other states, where the workingmen have not the right in a legal way to assure their economic needs, there is "free labor". Manifestly, only those that have conceptions of "free labor" and "compulsory labor" other than those of the workingmen can reason so. It is plain that what for the Conservatives is the "free labor" of the workingmen, the workingmen themselves recognize as nothing else than the capitalistic yoke for themselves. On the other hand, the very dullest workingman abroad will soon understand that the U.S.S.R., in which, judging from articles in the Conservative newspapers, the workmen are subjected to compulsory labor, is in reality the example of a country where the governmental power is in the hands of the laborers themselves, where the main task of the government is the betterment in every way of the position of the toilers, and where this is being accomplished in fact, on the basis of the mighty growth of the activity of the labor masses, the growth of the genuine enthusiasm and heroism of the workers engaged in the up-building of a free socialistic society. (Applause).

I have to speak particularly of our relations with France.

It must be observed in the first place that everything, it would seem, has been done by influential French circles to heap up obstacles to the development of Franco-Soviet commercial relations, and that too

much

much has been done to create hostile relations and to make an end of the foreign trade between the U.S.S.R. and France. The mere issue of the decree of October 3 speaks for itself. In issuing such decrees, as is known, certain other states, for example Belgium and Rumania, have followed in the footsteps of France. It is notorious, furthermore, that these measures in said countries were preceded by a journey of the French Minister for Commerce Flandin, to the capitals of just these states. On the other hand, it should be noted that, after the decree of the Soviet Government of October 20, directed to the protection of our foreign trade against the hostile action of certain foreign states, those desirous of following the counsel of France in the limiting measures have not been found so far. As is obvious, it is also no accident that up to the present time the circle of states that have taken special measures against Soviet exports is in general identical with the French military-political bloc. Is there need of still further confirmation of the fact that the anti-Soviet circles look upon the French decree of October 3, issued by the former Government, only as one of the preliminary anti-Soviet steps preparatory to further, still more aggressive acts with respect of the U.S.S.R.? It is plain that steps of this kind on the part of the French Government cannot serve the cause of the development of trade between France and the U.S.S.R., nor the cause of the strengthening of relations between these countries.

Finally,

Finally, the trial of the "industrial party", it must be confessed, cannot be regarded as in any way accidental. Without doubt, it was the result of profound causes, which are at work for the disruption of peace. The Soviet Government cannot but reckon with that fact, and therefore it is taking measures, necessary for the removal of hindrances to the strengthening of the peace. We must wait and see what position the new Government of France will take in these matters. We prefer in the given case to wait, rather than venture upon any kind of predictions.

The interests of the U.S.S.R. are firmly bound up with the cause of the strengthening of peaceful international relationships. The representatives of the Soviet Government in the preparatory disarmament commission have sufficiently and, as is known, repeatedly set forth the consistent position of the U.S.S.R. in the matter of the strengthening of the peace. It is known likewise, however, that the results of the work of the preparatory disarmament commission have led to no disarmament at all. The Soviet proposals, designed to bring about actual disarmament, or at least a real curtailment of armaments, were rejected by the commission. The preparatory commission made it manifest that the Powers that rule on the world's arena not only want no diminution of armaments, but parallel to the work of the commission on disarmament, expanded to the utmost the production of new instruments of war, the production of additional armaments. This compels the U.S.S.R., as the really consistent partisan of peace,

to

to observe with still greater watchfulness the steps of the foreign capitalistic circles whose policy is in plain conflict with the interests of the strengthening of peace in the given conditions.

The attention that is given in our country to such matters as the economic plan clearly witnesses to the fundamental policy of the Soviet Government, to the policy of developing peaceful relations with the other states. Our main task is the accomplishment of the 5-year plan in four years. For the accomplishment of this task we have all the necessary conditions within the country. At the same time, we are doing everything to the end that the aims of those shall not be attained who are endeavoring to rupture the peace and hinder us in the accomplishment of the 5-year plan in four years and to start a new world war. To the increase of aggressiveness toward the U.S.S.R., to the preparation of an attack on the part of the extreme imperialistic circles in the foreign states, we must answer with the full accomplishment of the economic plan drawn up for 1931 and with still more energetic steps by the Soviet Government for the strengthening of the cause of peace. The progress of socialistic up-building and the strengthening of the defensiveness of the Soviet Union, we connect inseparably with further struggle for the strengthening of the peace, for the strengthening of peaceful conditions for the development of the U.S.S.R. and other countries. We are firmly assured that the more successfully we advance upon the road of up-building socialism, upon the road of the accomplish-

ment

ment of the 5-year plan in four years, the more will the cause of peace in all the world be really strengthened. (Stormy prolonged applause, turning into an ovation).

DSM/hs

AM RECD
DIVISION OF FAR EASTERN AFFAIRS
DEPT. OF STATE

LEGATION OF THE
UNITED STATES OF AMERICA

Peiping, January 14, 1931.

No. 737

DEPARTMENT OF STATE
FEB 13 1931
DIVISION OF
NEAR EASTERN AFFAIRS

FEB 10 31

Copy to F.E.
Division of
FAR EASTERN AFFAIRS
FEB 11 1931
Department of State

CONFIDENTIAL

TREATY DIVISION
FEB 13 1931
DEPARTMENT OF STATE

767.932/5
FEB 21 1931
FILED

The Honorable

The Secretary of State,

Washington.

Sir:

1/ I have the honor to transmit herewith the French text of the draft of a Treaty of Friendship, Commerce, and Navigation which is being negotiated between the Republics of China and Turkey.

A rough preliminary copy of this Treaty was mailed to the Division of Far Eastern Affairs when I was in Nanking last November, but owing to pressure of work and a very limited staff it was not possible to forward

the

the requisite number of copies until my return to Peiping.

Respectfully yours,

Nelson Trusler Johnson

NELSON TRUSLER JOHNSON.

Enclosure:

1. Draft of Treaty between China and Turkey.

CVHE/GL

2 Carbon Copies

Received ---I.J.N.---

One copy in DCR for note

GW.

Enclosure No. 1
Despatch No. 737

TURKIYE ORTA ELCILIGI

NANKIN

TRES CONFIDENTIEL

PROJET DE TRAITE D'AMITIE

DE COMMERCE ET DE NAVIGATION ENTRE

LA TURQUIE ET LA CHINE.

PROJET DE TRAITE D'AMITIE, DE COMMERCE ET DE NAVIGATION ENTRE LA REPUBLIQUE TURQUE ET LA REPUBLIQUE DE CHINE.

La République Turque et la République de Chine, animées du désir d'établir des relations d'amitié entre les deux pays, de developper leurs rapports commerciaux ainsi que les interêts mutuels de leurs peuples, ont résolu de conclure un Traité d'Amitié, de Commerce et de Navigation, fondé sur les principes de l'égalité et du respect mutuel de la souveraineté et ont nommé, à cet effet leurs Plénipotentiaires respectifs, savoir:

Son Excellence le Président de la République Turque:

.....;

Son Excellence le Président du Gouvernement National de la République de Chine:

.....;

lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des articles suivants:

ARTICLE PREMIER

Il y aura paix et amitié sincères et perpetuelles entre la République Turque et la République de Chine ainsi qu'entre les ressortissants des Hautes Parties Contractantes.

ARTICLE II

Les Hautes Parties Contractantes sont d'accord pour établir les relations diplomatiques entre les deux Etats conformément aux principes du droit des gens. Elles conviennent que les Représentants diplomatiques de chacune d'Elles recevront à charge de réciprocité, dans le territoire de l'autre, le traitement consacré par les principes généraux du droit international public général.

ARTICLE III

Les Hautes Parties Contractantes se reconnaissent mutuellement le droit de nommer des consuls-généraux, consuls, vice-consuls, dans les localités de leurs territoires respectifs qui auront été déterminées de commun accord. Ces fonctionnaires consulaires jouiront des mêmes égards et considérations que ceux accordés selon l'usage international aux consuls du même rang d'un tiers état quelconque. Ils exerceront les fonctions qui sont généralement reconnues par l'usage international.

Les fonctionnaires consulaires mentionnés ci-dessus, devront obtenir, avant leur entrée en fonction, l'éxéquatur du Gouvernement du pays où ils sont envoyés. Le dit Gouvernement pourra, cependant, leur retirer cet éxéquatur, s'il le trouve nécéssaire.

Les Gouvernements des Hautes Parties Contractantes ne nommeront pas comme fonctionnaires consulaires des personnes se livrant à l'industrie, au commerce ainsi que le ressortissant d'un tiers état. Cette clause ne vise pas les consuls honoraires que les Hautes Parties Contractantes auron le droit de nommer.

ARTICLE IV

Les ressortissants de chacune des Hautes Parties Contractantes, sous réserve des lois et réglements qui y sont applicables aux nationaux de tout autre pays, auront la liberté d'entrée sur le territoire de l'autre ou de le quitter. A leur entrée, ils seront porteurs de passeports délivrés par les autorités compétentes de leur propre pays. Ils seront visés conformément aux réglements y afférents du pay de destination et les frais de visa devront être réciproquement favorables.

Les deux Hautes Parties Contractantes se reservent le droit d'interdire, par mésures individuelles, soit à la suite d'une sentence légale, soit d'après les lois et réglements en vigueur, soit pour des motifs de sureté intérieure ou extérieure de l'Etat, aux ressortissants de l'autre Partie de s'établir ou de séjourner sur leur territoire et de les expulser pour ces causes. L'autre Partie s'engage à accueillir de nouveau en tout temps, ses ressortissants et leurs familles expulsés, si leur nationalité est certifiée par le consul compétent qui sera avisé de l'expulsion.

ARTICLE V

Chacune des Hautes Parties Contractantes garantira, sur son territoire, aux ressortissants de l'autre la plus entière et constante protection des lois et autorités territoriales pour leurs personnes, leurs biens, droits et intérêts. Dans les limites de tous les lois et réglements

ments du pays, ils auront le droit de voyager, de résider, de travailler, d'acquérir ou de louer des propriétés, ou de se livrer au commerce et l'industrie, à l'exception de ceux dont l'exercice est reservé aux nationaux, dans toutes les localités ou les ressortissants de tout autre pays y sont autorisés.

ARTICLE VI

Les ressortissants de Chacune des Hautes Parties Contractantes ne seront soumis sur le territoire de l'Autre quant a leur personne, leurs biens, droits et intérêts ainsi que pour l'exercice de tout genre de commerce, industrie, métier et profession, à aucuns charges, taxes ou impôts directs ou indirects, autres ou plus élevés que ceux qui pourront être imposés aux nationaux.

Les ressortissants de chacune des Parties Contractantes ne seront contraints sur le territoire de l'autre, à aucuns emprunts et dons publics forcés.

ARTICLE VII

Les ressortissants de chacune des Hautes Parties Contractantes ainsi que leurs biens, sur le territoire de l'autre, seront assujettis aux lois et règlements du pays et soumis à la juridiction de ses tribunaux.

Pour faire valoir et défendre leurs droits, les ressortissants de chacune des Hautes Parties Contractantes, sur le territoire de l'autre, auront libre et facile accès

auprès des cours de justice et pourront ester en justice aux mêmes conditions que les nationaux. Ils pourront également, comme les nationaux du pays, choisir librement des avocats et des représentants. Des interprètes, si c'est nécessaire, seront employés par les cours.

ARTICLE VIII

Les ressortissants de l'une des Parties Contractantes ne seront astreints, sur le territoire de l'autre, a aucun service militaire, soit dans les armées de terre, de mer ou de l'air, soit dans les gardes ou milices nationales. Ils seront exemptes de tous taxes, réquisitions, prestations, emprunts forcés, contributions, en remplacement du service militaire.

ARTICLE IX

En ce qui concerne les biens des ressortissants de chacune des Hautes Parties Contractantes sur le territoire de l'autre et leurs successions, les dispositions suivantes seront appliquées:

Io - Les ressortissants de chacunes des Hautes Parties Contractantes à l'égard de leurs biens sur le territoire de l'autre et de leurs produits, auront le droit d'en disposer librement, de les exporter et les transférer librement et de faire librement des testaments.

IIo - En cas de décès d'un ressortissant de l'une des Hautes Parties contractantes sur le territoire de l'autre n'ayant pas, d'après sa loi nationale, d'héritier ou d'administrateur et sans avoir laissé de dispositions testamentaires, les lois du lieu où se trouveront ses biens immobiliers s'appliqueront à ceux-ci, quant à ses biens mobiliers, le représentant consulaire du pays dont ressortissait le défunt, sera appelé à les conserver et les administrer d'après les lois et règlements de ce pays. Tous différends relatifs à la succession survenant dans le pays où elle se trouve, seront jugés par les tribunaux de ce pays.

IIIo - les dispositions du paragraphe précédent seront également applicables dans le cas ou un ressortissant de l'une des Hautes Parties Contractantes, possédant des bien sur le territoire de l'autre viendrait à mourir en dehors dudit territoire sans avoir laissé d'héritier, d'administrateur légal, ou de testament.

IVo - En cas de décès d'un ressortissant de l'une des Hautes Parties Contractantes à bord d'un navire de la nationalité de l'autre ou en passant sur le territoire de cette dernière sans qu'il y ait de domicile ou de résí-

dence, les biens et objets que le défunt avait avec lui, seront remis, pour être conservés et administrés, au consulat le plus rapproche ou aux autorités compétentes du pays dont ressortissait le défunt.

Vo - Les impôts, taxes et frais relatifs aux biens et à la succession ne devront pas être plus élevés ou autres que ceux payés dans des circonstances analogues par les citoyens du pays.

ARTICLE X

Le Gouvernement d'aucune des Hautes Parties Contractantes ne procédera, sauf indications formelles de ses lois et règlements, à des inspections ou perquisitions à l'égard de la personne, des bâtiments, des navires, des biens et toutes autres choses des ressortissants de l'autre.

ARTICLE XI

Les Hautes Parties Contractantes sont d'accord que le tarif douanier et les matières connexes seront régis exclusivement par leurs lois nationales respectives.

D'autre part, il est convenu que les Hautes Parties Contractantes jouiront, dans le territoire de l'autre, en ce qui concerne le tarif douanier d'importation et d'exportation, et autres questions connexes d'un traitement en rien moins favorable que celui accordé à toute autre puissance,

Les ressortissants des Hautes Parties Contractantes ne seront pas tenus à verser, dans le territoire de l'autre aucuns impôts, taxes ou charges intérieurs sur leurs importations et exportation autres ou plus élevés que les nationaux du pays ou les ressortissants d'un tiers état quelconque.

ARTICLE XII

Aucune des Hautes Parties Contractantes n'établira à l'égard des marchandises en provenance ou à destination des territoires de l'autre des prohibitions ou restrictions ~~d'in~~ d'importation ou d'exportation qui ne soient pas applicables aux articles similaires en provenance ou à destination d'un tiers pays quelconque.

Toutefois, les Parties Contractantes se réservent, si du moins ces mesures seront appliquées à tous les pays se trouvant dans des conditions analogues, le droit d'établir des prohibitions et restrictions pour les importations et exportations:

a-pour preserver les ressources indispensables à la vie alimentaire et sauvegarder l'activité économique de la nation,

b-pour des raisons de sûreté de l'Etat et sécurité publique,

c-pour des raisons de police sanitaire ou en vue d'assurer la protection des animaux et plantes utiles contre les maladies, les insectes et parasites nuisibles, conformément aux principes internationaux adoptés à ce sujet,

d-pour les marchandises faisant l'objet des monopoles d'Etat et en vue d'application aux marchandises étrangères des prohibitions et restrictions qui sont ou seront etablies par la législation intérieure en ce qui concerne la production, la vente, le transport ou la consommation à l'intérieur des mêmes marchandises étrangères,

e-pour empêcher l'exportation ou l'importation de la monnaie d'or ou d'argent ainsi que du métal or ou argent,

f-pour la protection de la morale publique

g-pour empêcher l'usage de l'opium et autres toxiques,

h-pour la protection des richesses artistiques, scienti-

~~fiqu~~

fiques et archéologiques.

ARTICLE XIII

Les marchandises, produits naturels ou fabriqués du territoire de l'une des Hautes Parties Contractantes, passant en transit à travers le territoire de l'autre, conformément aux lois du pays, seront libres, réciproquement, de tous droits de transit, qu'elles passent directement, ou qu'elles soient déchargées, entreposées ou rechargées pendant le transit.

Les produits naturels ou fabriqués de l'un des Pays Contractants importés dans le territoire de l'autre après avoir transités par les territoires d'un ou de plusieurs pays tiers, ne seront pas soumis, à leur importation, à des droits de douane ou à des redevances autres ou plus élevés que s'ils avaient été importés directement de leur pays d'origine.

ARTICLE XIV

Chacune des Parties Contractantes pourra exiger, pour établir le pays d'origine des marchandises importées, la présentation d'un certificat d'origine constatant que les dites marchandises sont des produits naturels ou fabriqués dudit pays, ou qu'elles doivent être considerées comme telles étant donne la transformation qu'elles y ont subie.

Les certificats d'origines établis d'un commun accord entre les deux Parties Contractantes, seront délivrés soit par les Départements du Commerce ou de l'Agriculture, soit par la Chambre de Commerce dont relève l'expéditeur, soit par tout autre organe ou groupement que le pays destinataire aura agréé. Le Gouvernement du pays destinataire aura le droit d'exiger le visa ou la légalisation des certificats d'origine par son représentant diplomatique ou consu-

laire.

Dispense des certificats d'origine pourra être accordée par le pays destinataire pour les envois de minime importance.

ARTICLE XV

Le Gouvernement de chacune des Hautes Parties Contractantes s'engage à protéger, dans les limites de ses lois et règlements, à condition qu'ils aient été préalablement enregistrés auprès des autorités compétentes du pays, les marques de fabrique, dessins et modèles des ressortissants de l'autre.

ARTICLE XVI

Les ressortissants de chacune des Hautes Parties Contractantes ne pourront pas bénéficier du droit de navigation dans les eaux intérieures de l'autre.

Le cabotage, la pêche dans les eaux territoriales ainsi que l'exercice du pilotage et l'emploi de pilots, l'exercice de remorquage et tous les autres services de port sont réservés aux nationaux.

ARTICLE XVII

Tous les navires qui sont des navires turcs conformément à la loi turque et tous les navires qui sont des navires chinois conformément à la loi chinoise, seront considérés respectivement, en tout ce qui concerne l'application de ce traité, comme navires turcs ou chinois.

Le Gouvernement de Chacune des Hautes Parties Contractantes autorisera aux navires de commerce de l'autre, d'entrer, de mouiller, de charger et de décharger des marchandises, d'embarquer et de débarquer des voyageurs dans ses ports de mer déjà ouverts au commerce international. Ces navires de commerce devront se conformer à tous les lois et règlements du pays ainsi qu'aux dispositions de l'article XVI du présent traité.

Aucun navire chinois dans les eaux territoriales turques et aucun navire turc dans les eaux territoriales chinoises, ainsi que sa cargaison et son matérial, ne sera détenu ou saisi, excepté en accord avec les lois et règlements du pays ou les principes généralement acceptés du droit international.

ARTICLE XVIII

Les navires de commerce de l'une des Hautes Parties Contractantes, en cas de naufrage, de tempête ou en tout autre cas de danger analogue, près des côtes de l'autre, auront la liberté d'entrer et de se refugier dans tous les rades, baies, détroits ou ports maritimes se trouvant dans les eaux territoriales de cette dernière. Les autorités locales en avertiront immédiatement le consulat le plus proche du pays auquel appartient le navire en danger et prêteront toute aide et toute assistance nécessaires pour son sauvetage con-

formément

formément à l'usage international généralement reconnu. En ce qui concerne le droit de sauvetage, il sera fait application de la législation du pays où le sauvetage à eu lieu. Le navire en question pourra effectuer des réparations, se procurer les provisions nécessaires et poursuivra immédiatement son voyage sans être tenu de payer les droits du port. Au cas où ce navire serait obligé de vendre ses marchandises, il devra payer les impôts, taxes et contributions conformément aux lois et règlements du pays.

ARTICLE XIX

Chacune des Hautes Parties Contractantes convient que ses vaisseaux de guerre et ses navires de commerce transportant des troupes ou du matériel de guerre, sauf autorisation spéciale préalable du Gouvernement de l'autre, ne devront pas entrer dans la mer territoriale, les rades, les détroits, les baies et ports de cette dernière. Au cas où ces navires s'échoueraient, rencontreraient la tempête ou tout autre danger le long des côtes de cette dernière, les autorités locales, pour leur sauvetage, devront leur prêter toute aide et toute assistance nécessaires conformément a l'usage international généralement reconnu ou aux stipulations des conventions internationales en vigueur, dont les deux Hautes Parties Contractantes sont signataires.

ARTICLE XX

Au cas où surviendraient à bord d'un navire de commerce de l'une des Hautes Parties Contractantes, dans les eaux territoriales de l'autre, des désordres que les autorités locales jugeraient capables de troubler la paix ou l'ordre du port, il appartiendra à ces autorités locales d'intervenir et d'y mettre fin.

Il est entendu que l'intervention des autorités locales à bord d'un navire ne peut s'effectuer que sur la demande d'un consul de l'autre Partie Contractante ou du capitaine du navire. Au cas d'une intervention indispensable, le retard pouvant entrainer des conséquences graves, ou quand une personne ne faisant pas partie de l'équipage se trouvera mêlée aux désordres survenus à bord, l'intervention pourra avoir lieu sans la demande susmentionnée, mais les autorités intervenantes seront alors tenues de signaler le fait immédiatement au consul le plus proche de l'autre Partie Contractante.

ARTICLE XXI

En ce qui concerne les questions qui ne sont pas prévues dans le présent Traité, les Hautes Parties Contractantes conviennent d'appliquer les principes du droit international et de la réciprocité.

ARTICLE XXII

Le présent Traité sera en vigueur pour une période de trois ans à compter du quinzième jour après l'échange des ratifications. Chacune des Hautes Parties Contractantes pourra notifier à l'autre, six mois avant l'expiration de la dite période, son intention de reviser ou de dénoncer le présent Traité. Si aucune des Hautes Parties Contractantes n'a fait connaitre, à temps, son intention de le reviser ou le dénoncer, le présent Traité continuera à rester en vigueur, étant entendu que chacune des Hautes Parties Contractantes pourra, après l'expiration de la dite période de trois ans, notifier à tout moment, à l'autre Partie son intention de reviser ou de dénoncer le traité qui cessera alors ses effets six mois après le jour de cette notification.

ARTICLE XXIII

ARTICLE XXIII

Le présent Traité est rédigé en langues turque, chinoise et française. En cas de divergence d'interprétation, le texte français fera foi.

ARTICLE XXIV

Le présent Traité sera ratifié dans le plus bref délai possible par les Hautes Parties Contractantes conformément à leurs lois respectives et les instruments de ratification seront échangés à Nankin, dans les trois mois après que les ratifications auront été affectuées.

En foi de quoi, les Plénipotentiaires respectifs ont signé le présent Traité en double exemplaire et y ont apposé leurs cachets.

Fait à Nankin ce..... jour du ..... mois de la 19e année de la République de Chine correspondent au .....

ANNEXE I

DECLARATION

Tous les ressortissants de la Turquie, résidant actuellement en Chine, et tous les ressortissants de la Chine, résidant actuellement en Turquie, devront, dans les trois mois qui suivront l'entrée en vigueur du présent Traité, se présenter en personne devant les autorités compétentes locales pour se faire enregistrer.

ANNEX II

Monsieur le Délégué,

Au nom du Gouvernement de la République Turque j'ai l'honneur de Vous faire savoir, relativement à l'article III du traité signé ce jour, que les consuls honoraires aussi, devront à charge de réciprocité, obtenir, avant leur entrée en fonction, l'éxéquatur du gouvernement du pays où ils sont envoyés.

ANNEXE III

Monsieur le Délégué,

J'ai l'honneur de porter à Votre connaissance que les taxes et droits de statistique, de surveillance, de magasinage et administratifs tels que .....
.....ne font pas partie des droits de transit.

En conséquence la gratuité accordée aux marchandises en transit par l'article XIII du Traité signé ce jour, ne s'étend pas aux charges, ci-dessus mentionnées.

ANNEXE IV

ANNEXE IV

Monsieur le Délégué,

Me référant à l'article XIV du Traité signé ce jour, j'ai l'honneur de Vous faire savoir que les envois de minime importance sont ceux qui ont une valeur de..... ..... et au dessous.

DEPARTMENT OF STATE

DIVISION OF NEAR EASTERN AFFAIRS

DEPARTMENT OF STATE
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FEB 21 1931
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COMMUNICATIONS AND RECORDS

III- 129
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HP

January 31, 1931

Memorandum

The attached draft Treaty of Friendship, Commerce and Navigation between Turkey and China is a conventional document chiefly interesting in that it shows the firm intention of both countries to emancipate themselves from all extra-territorial and capitulatory restrictions of the past. While the nationals of each contracting party enjoy under its privileges most-favored-nation treatment, or in certain cases national treatment, there is no hint of any privilege being granted beyond those to which the nationals of the country are entitled. In legal matters the nationals of each country in the other's territory are subjected to its laws and regulations and the jurisdiction of its courts. An interesting provision from the Chinese standpoint is that contained in Article 16 where it is provided that the nationals of neither party will be able to enjoy rights of navigation in the inland waters of the other, in contradistinction to the rights which are at present exercised by many Western Powers. Certain privileges such as cabotage, fishing, pilotage and port services are reserved to the nationals of either country alone.

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It is likewise stipulated that the warships and armed commercial vessels of one country shall not enter the territorial waters of the other without prior permission, - a provision which perhaps foreshadows the imposition of like restrictions on States at present more favored in this regard.

The treaty, which is composed of 24 articles and three explanatory annexes, is to be drafted in Turkish, Chinese and French, the last language to prevail in case of difference of opinion. It is to be valid for a period of three years dating from the 15th day after the exchange of ratifications, which is to be effected within three months after ratification itself. If intention to denounce is not given six months prior to the end of the treaty it will continue until six months after such notice will have been given.

A summary of the treaty, article by article, follows:

Article 1: Perpetual peace will exist between the contracting parties and their nationals.

Article 2: Diplomatic relations will be established in accordance with the principles of international law.

Article 3. Consular officers will be appointed, but shall not exercise their functions without an exequatur. They may carry on the functions generally recognized by

international

international usage and shall enjoy the same privileges as consuls of equal grade appointed by any third State. Persons engaged in industry and commerce as well as nationals of third States shall not be appointed by either party except in an honorary capacity.

Article 4. The nationals of either party may circulate freely in the territory of the other although each party reserves the right to expel, in individual cases, the nationals of the other.

Article 5. The nationals of either party will be protected by the laws and may engage in any occupation, except those reserved to natioanls alone, in the places where the nationals of any other country are authorized to live and function.

Article 6. National treatment is guaranteed in regard to taxation. No forced loans or gifts are to be exacted.

Article 7. The nationals of either contracting party, as well as their goods, in the territory of the other, are subjected to the laws and regulations of the country and to the jurisdiction of its courts.

Article 8. Provides for exemption from military service or from levies in lieu thereof.

Article 9. Treats of the disposition of real and personal property in which complete freedom of action shall be allowed. In cases of decedents who leave no will or

heirs,

heirs, the law of the place will govern real property while, as to personal property, the consular representative of the country of which the decedent was a national will administer the estate according to the laws of his country. Differences arising in regard to succession to estates will be determined by the courts of the country where the estate actually exists.

Article 10. Provides that no searches or perquisitions may take place without specific authorization of law.

Article 11. Customs matters shall be governed solely by the law of each country. Most-favored-nation treatment is assured in regard to duties.

Article 12. Most-favored-nation treatment will be granted regarding prohibitions and restrictions on importations and exportations.

Article 13. Transit dues shall not be levied on articles in transit. Passage of importations through third countries will not affect the duties levied by either contracting party.

Article 14. Provides that while certificates of origin are required, these may be omitted in the case of very small shipments.

Article 15. Treats of protection being accorded trade marks, designs and models registered in either

country

country by the nationals of the other.

Article 16. The nationals of neither contracting party are to possess right of navigation in the inland waters of the other. Cabotage, fishing, pilotage and port services are reserved to nationals alone.

Article 17. Vessels shall be considered Turkish which are so by Turkish law and Chinese vessels shall be those which are considered Chinese by Chinese law. Ships shall be accorded the use of port facilities.

Article 18. Provides for notification of the nearest consul in case of maritime disaster and for the extension of aid in conformity with general international usage.

Article 19. States that the war vessels and armed commercial vessels of either party shall not enter the territorial waters of the other without prior permission, although in case of danger the parties are obliged to come to the aid of such vessels when in distress in accordance with general/ly recognized international usage or the stipulations of international conventions of which the two contracting parties are signatories.

Article 20. The local authorities are entitled to settle disturbances aboard vessels of the other in port although they should not act, except in cases of emergency, until summoned by the captain of the vessel concerned or the consul of his country.

Article 21. In regard to questions not provided for by the present treaty the parties will apply the principles of international law and of reciprocity.

Article 22. The treaty stipulates that the treaty shall have a life of three years and will continue, if not denounced six months prior to the end of this period, until six months after such notice will have been given.

Article 23. The treaty will be drafted in Turkish, Chinese and French and, in case of differences in interpretation, the French text will govern.

Article 24. The treaty is to be ratified as soon as possible in conformity with the laws of both parties and exchange of ratifications shall be effective at Nanking three months after ratification.

Annex 1. Provides for registration of all nationals of either party in the territory of the other within three months after the treaty will have become effective.

Annex 2. Provides that honorary consuls must be supplied with exequaturs before being entitled to function.

Annex 3. Provides that certain charges for warehousing, guarding, et cetera, shall not be considered transit dues and so may be levied.

Annex 4. Provides for the definition of the minimal shipment mentioned in Article 14.

JP/MNB:HN

DOCUMENT FILE

NOTE

SEE 701.6793/10 FOR despatch #1096

FROM China (Engert) DATED July 23, 1931

TO NAME

1—1127 GPO

767.932/7

REGARDING: Proposed Treaty of Friendship, Commerce and Navigation between China and Turkey was apparently never signed.

Peiping, July 25, 1931.

No. 1096

The Honorable

The Secretary of State,

Washington.

Sir:

Referring to the Legation's despatch No. 2045 of April 19, 1929, I have the honor to report that the Legation is to-day in receipt of a communication from the Turkish Chargé d'Affaires in China, Mr. A. Hulusi Feat (Fuad) Tugay, to the effect that his Government has decided to close the Turkish Legation in China for the present.

In this connection I also have the honor to refer to the Legation's despatch NO. 544 of July 25, 1930, and to its despatch No. 737 of January 14, 1931, concerning the proposed Treaty of Friendship, Commerce, and Navigation between China and Turkey. The Legation has no information that this treaty was ever signed.

I understand from reports emanating from Turkish sources that the closing of the Turkish Legation in

China

China is due to reasons of economy.

Respectfully yours,

For the Minister:

C. Van H. Engert,
First Secretary of Legation.

CVHE:epg.

DEPARTMENT OF STATE

DIVISION OF FAR EASTERN AFFAIRS

January 25, 1933.

E H D
SMH.

Istanbul's despatch No. 282 of December 27, 1932, reports that Matsuoka visited Istanbul on December 25 and 26 and no one seemed to know the reason of his visit. He did not visit Ankara. The Turkish Government is usually annoyed when distinguished visitors do not visit Ankara.

LES:CLS

Central File: Decimal File 767.932, Political Relations Of States, Relations; Bi-Lateral Treaties., Turkey And China, Commerce And Navigation., June 12, 1930 - January 25, 1933. June 12, 1930 - January 25, 1933. MS Turkey, Greece, and the Balkan States: Records of the U.S. Department of State, 1930-1944: Records of the Department of State Relating to Political Relations of Turkey, Greece, and the Balkan States, 1930-1939. National Archives (United States). Archives Unbound, link.gale.com%2Fapps%2Fdoc%2FSC5111389416%2FGDSC%3Fu%3Domni%26sid%3Dbookmark-GDSC. Accessed 20 June 2025.